

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

In the Matter of the Petition of Kansas City)
Power & Light Company (“KCP&L”) for) Docket No. 11-KCPE-581-PRE
Determination of the Ratemaking Principles)
and Treatment that Will Apply to Recovery)
in Rates of the Cost to be Incurred by)
KCP&L for Certain Electric Generation)
Facilities Under K.S.A. 66-1239.)

Received
on

AUG 08 2011

by
State Corporation Commission
of Kansas

**CURB’S RESPONSE TO
ERRATA OF KCPL TO HEARING TRANSCRIPT**

COMES NOW, the Citizens’ Utility Ratepayer Board (“CURB”), and files its Response to Errata of KCPL to Hearing Transcript (“CURB’s Response”). In support of CURB’s Response, CURB states as follows:

1. On July 28, 2011, the Errata of Kansas City Power & Light Company to Hearing Transcript (“KCPL’s Errata”) was filed. KCPL’S Errata states:

These changes are for errors KCP&L has identified as necessary for the transcript to accurately reflect the proceedings on matters deemed relevant to the Commission’s decision in this matter. Minor corrections that were determined to be insignificant to the Commission’s ultimate decision are not being submitted.¹

2. Several of the purported errors KCPL seeks to change are substantive and significantly alter the testimony given by the KCPL witnesses under oath. Examples include:

Pg. 712, line 11 should read: “assigned it a probability of 0.25. There’s a 75 percent chance there’s a price for CO2.” [The transcribed sworn testimony states, “assigned it a probability of 1.25. There’s a 27 percent probability there’s a price for CO2.”]

Pg. 752, line 4 – “elasticity” should be “inelasticity” [Transcribed sworn testimony states, “elasticity”.]

¹ KCPL Errata, p. 1.

P. 273, lines 3 and 4 –

Q: So if this was the least cost plan you have no concerns that your shareholders won't be satisfied?

A: "No." (Negative question. Answer should state) "Yes, I have no concerns."

Pg. 303, lines 15-16 –

Q: Does Staff utilize the parent company's cost of debt?

A: "I believe so. We agree to use the entity specific cost of debt." (Answer should state) "I don't believe so."

Pg. 1199, line 14 – "FASB" should be "capacity"²


3. The purported errors KCPL seeks to change are to transcribed testimony given under oath at the hearing, yet KCPL's Errata provides no verified statements from its witnesses suggesting that the transcript does not accurately reflect the testimony given by the witness at the hearing. There has been no showing that the actual transcribed testimony is erroneous. Instead, it appears that KCPL isn't pleased with the answers given by its witnesses and upon reflection now seeks to change the testimony as it was transcribed at the hearing.

4. More importantly, KCPL has provided no basis or authority for the proposed changes. KCPL was represented by at least three attorneys at the hearing, and each of these attorneys had the opportunity and ability to address each of purported misstatements by KCPL witnesses through redirect examination of each of the KCPL witnesses. The appropriate time to address misstatements by a witness is at the hearing through redirect examination of the witness, which would have provided other parties the due process opportunity to follow up on the redirect testimony with further cross examination. KCPL's attempt to change sworn testimony is inappropriate, denies the parties due process, and should be denied by the Commission.

² KCPL Errata, pp. 1-2 (emphasis added).

5. In conclusion, CURB respectfully requests that the Commission deny KCPL's request to change the sworn testimony reflected in the transcript.

Respectfully submitted,


C. Steven Rarrick #13127
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VERIFICATION

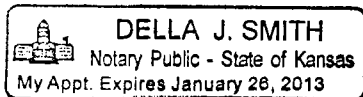
STATE OF KANSAS)
) ss:
COUNTY OF SHAWNEE)

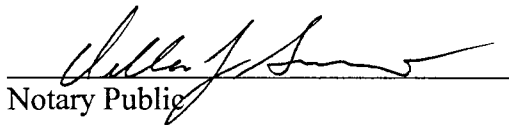
I, C. Steven Rarrick, of lawful age, being first duly sworn upon his oath states:

That he is an attorney for the Citizens' Utility Ratepayer Board; that he has read the above and foregoing document, and, upon information and belief, states that the matters therein appearing are true and correct.


C. Steven Rarrick

SUBSCRIBED AND SWORN to before me this 8th day of August, 2011.


DELLA J. SMITH
Notary Public - State of Kansas
My Appt. Expires January 26, 2013


Notary Public

My Commission expires: 01-26-2013.

CERTIFICATE OF SERVICE

11-KCPE-581-PRE

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing document was placed in the United States mail, postage prepaid, electronic service, or hand-delivered this 8th day of August, 2011, to the following:

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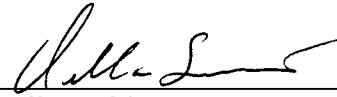
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